

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

KEVIN LA'VON GILES,

Plaintiff,

Civil Action No. 23-10951  
Honorable Jonathan J.C. Grey

v.

JONATHAN HEMINGWAY, et al.,

Defendants.

/

**ORDER ADOPTING REPORT AND  
RECOMMENDATION (ECF No. 20)**

Pro se plaintiff Kevin La'Von Giles filed this 42 U.S.C. § 1983 lawsuit against numerous defendants alleging a violation of his Eighth and Fourteenth Amendment rights. This matter comes before the Court on Magistrate Judge Kimberly G. Altman's Report and Recommendation dated September 7, 2023. (ECF No. 20.) In the Report and Recommendation, the Magistrate Judge recommends that the Court deny Giles' motion for a temporary restraining order and preliminary injunction (ECF No. 13). (*Id.*) No party has filed an objection to the Report and Recommendation.

The Court has had an opportunity to review this matter and finds that the Magistrate Judge reached the correct conclusions for the proper reasons. Finding no error in the Magistrate Judge's Report and Recommendation, the Court adopts the Report and Recommendation in its entirety. Furthermore, as neither party has raised an objection to the Report and Recommendation, the Court finds that the parties have waived any further objections to the Report and Recommendation. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987) (a party's failure to file any objections waives his or her right to further appeal); *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

For the reasons stated above, **IT IS ORDERED** that the Report and Recommendation dated September 7, 2023 (ECF No. 20) is **ADOPTED** as this Court's findings of fact and conclusions of law.

**IT IS FURTHER ORDERED** that Giles' motion for temporary restraining order and preliminary injunction (ECF No. 13) is **DENIED**.

**IT IS ORDERED.**

s/Jonathan J.C. Grey  
JONATHAN J.C. GREY  
UNITED STATES DISTRICT JUDGE

Dated: October 4, 2023

**Certificate of Service**

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First-Class U.S. mail addresses disclosed on the Notice of Electronic Filing on October 4, 2023.

s/ S. Osorio  
Sandra Osorio  
Case Manager